

LAW OFFICES OF
ALBERT WAI-KIT CHAN, PLLC

141-07 20TH AVENUE SUITE 408
WHitestone, NY 11357

TEL: (718) 799-1000
FAX: (718) 357-8552
CHANK@KITCHANLAW.COM

November 24, 2023

Via ECF

The Honorable Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007

Re: *Hongmian Gong v. Lerone Savage*, 23-CV-07355 (AS)

Dear Judge Subramanian,

Plaintiff hereby respectfully requests adjournment of the initial pre-trial conference currently scheduled for November 30, 2023, at 11:30 a.m. and a 30-day extension of time to file the associated Scheduling Order, Joint Letter, and Proposed Case Scheduling Plan.

Defendant's counsel filed his Notice of Appearance and First Letter Motion for an Extension of Time to Answer Plaintiff's Complaint on November 6, 2023. Plaintiff filed a Consent Letter to Defendant's request for an extension of time. On November 7, 2023, this Court ordered that Plaintiff's time to answer or otherwise plead is now due November 28, 2023. As of the filing of this letter motion, Defendant has not yet filed an answer. As such, Plaintiff cannot review any responsive pleading or respond to any counterclaim filed by Defendant, if any, and does not know which further evidence to seek during discovery. Accordingly, Plaintiff cannot prepare a Joint Letter, Proposed Civil Case Management Plan, or Scheduling Order. Plaintiff hereby respectfully requests that the initial pre-trial conference be adjourned for an additional 30 days. Plaintiff further requests a 30-day extension in which to file the Joint Letter, proposed Civil Case Management Plan, and Scheduling Order so that Plaintiff's counsel will have an opportunity to consult with his counterpart representing Defendant. Further, since the Court requires requests for extension to be filed two days before the due date, this motion is being timely filed.

As of the filing of this letter motion, one previous request for an extension of time or adjournment has been submitted previously. Plaintiff's counsel requests this adjournment because the Defendant has not yet submitted an answer to Plaintiff's Complaint. Plaintiff's counsel has contacted counsel for Defendant but was unable to reach him. Therefore, he has not consented to this motion. As of the filing of this motion, Defendant is required to file its answer to Plaintiff's Complaint by November 28, 2023.

Accordingly, Plaintiff's counsel respectfully requests that the initial pre-trial conference scheduled for November 30, 2023, at 11:30 a.m. be adjourned and that the due date for the associated scheduling documents be extended for 30 days.

Respectfully submitted,

By: /s/ Albert Wai-Kit Chan
Albert Wai-Kit Chan, Esq.
Attorney for Plaintiff
World Plaza, Suite 408
141-07 20th Avenue
Whitestone, NY 11357
(718) 799-1000
Chank@kitchanlaw.com

cc: Jason R. Mischel, Esq. (VIA ECF)

Application GRANTED. The conference currently set for November 30, 2023, is hereby ADJOURNED to January 5, 2024 at 11AM. It will be held remotely. The parties should dial-in by calling: +1 646-453-4442,,270158680#.

SO ORDERED.



Arun Subramanian, U.S.D.J.
Date: November 27, 2023